

IAP11 Rec'd PCT/PTO 11 AUG 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : (To Be Assigned) Confirmation : (TBA)
 (PCT/EP2005/001373 No.
 First Named Inventor : Manfred DORN
 Filed : August 11, 2006
 TC/A.U. : (To Be Assigned)
 Examiner : (To Be Assigned)
 Docket No. : 095309.58127US
 Customer No. : 23911
 Title : Operational Control For A Vehicle

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 AND 1.98

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, the attached Form PTO-1449 lists documents which the Examiner may deem relevant to patentability of the claims of the above-identified application.

I. Time Period of Submission

This Information Disclosure Statement is submitted:

☒ 1) no later than three months from the application's filing date or 2) before the mailing date of the first Office Action on the merits (whichever is later) or 3) before a first Office Action after the filing of a Request for Continued Examination, and therefore no statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

☐ 2) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, a Notice of Allowance, or an action closing prosecution (*Ex parte Quayle*), (whichever is earlier), and therefore Applicant is filing concurrently herewith:

☐ a Statement under 37 C.F.R. § 1.97(e); or

☐ a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

☐ 3) after either a Final Office Action or a Notice of Allowance, but before payment of the Issue Fee, and therefore Applicant is submitting herewith:

a Statement under 37 C.F.R. § 1.97(e); and

a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

II. Statement Under 37 C.F.R. § 1.97(e)

☐ I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

☐ I hereby state that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making a reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; or

III. Statement under 37 C.F.R. § 1.704(d)

☐ I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.

IV. Submission of Non-English Language Documents

☒ The following is a concise explanation of relevance of the non-English language documents listed in the attached Form PTO-1449:

☒ The relevance of document(s) AC-AF to the subject matter of the present invention is/are provided in the specification of the above-identified application.

☒ Corresponding foreign or international report(s) citing document(s) AG, AI, AK-AP, together with an English-language version(s) (if not already in English) of that portion of the report(s) indicating the degree of relevance found by the foreign office(s) is/are submitted.

☒ English language family member publication(s) of document(s) AG is/are noted on Form PTO-1449.

☒ English language abstract(s) is/are submitted for document(s) AG and AP.

☐ English translation(s) of the foreign language document(s) _____ is/are submitted herewith.

☐ Applicant submits the following explanations: _____.

V. Continuations/Divisionals

☐ Documents _____ were of record in parent application Serial No. _____, filed _____, from which this application claims benefit. As provided in 37 C.F.R. §1.98(d), copies of the documents are not being provided since they were previously submitted to or cited by the United States Patent and Trademark Office in the afore-mentioned parent application.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

If necessary, this paper should be considered as an authorization to charge Deposit Account 05-1323, Attorney Docket No.: 095309.58127US, for the fee set forth in 37 C.F.R. § 1.17(p).

Respectfully submitted,

August 11, 2006

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO <h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center;">(use as many sheets as necessary)</p>		Complete if Known	
		Application Number	(To Be Assigned)
		Filing Date	August 11, 2006
		First Named Inventor	Manfred DORN
		Art Unit	(To Be Assigned)
		Examiner Name	(To Be Assigned)
		Attorney Docket Number	095309.58127US

U.S. PATENT DOCUMENTS					
Examiner Initials ¹	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-5,747,759	5-5-1998	Lochmahr et al.	
	AB	US-2002/0196233 A1	12-26-2002	Kataoka et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials ¹	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	AC	DE 199 44 324 A1	3-22-2001	AUDI AG		
	AD	DE 197 32 287 A1	1-28-1999	Bayerische Motoren Werke AG		
	AE	DE 101 05 177 C2	8-14-2002	CAA AG		
	AF	DE 100 12 753 A1	6-28-2001	Volkswagen AG		
	AG	DE 195 40 553 A1	5-7-1997	Behr. GmbH & Co.	Corresponds to AA above	ABS
	AH	WO 99/42327 A2	8-26-1999	Case Corporation		
	AI	FR 2 830 808 A1	4-18-2003	Faurecia Industries		
	AJ	EP 1 343 113 A2	9-10-2003	Calsonic Kancel Corporation		
	AK	DE 101 05 177 C2	8-14-2002	CAA AG		
	AL	DE 101 39 694 A1	5-16-2002	Volkswagen AG		
	AM	DE 101 39 693 A1	5-16-2002	Volkswagen AG		
	AN	DE 199 51 379 C2	5-10-2001	Jungheinrich AG		
	AO	EP 1 288 058 A2	3-5-2003	Lear Corporation		
	AP	JP 07 096775 A	4-11-1995	Nissan Motor Co., Ltd.		ABS

NON PATENT LITERATURE DOCUMENTS			T ²
Examiner Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	
	AQ	International Search Report dated June 1, 2005 including an English translation of pertinent portion (Fourteen (14) pages).	
	AR	German Office Action dated July 30, 2004 (Three (3) pages).	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.